

REMARKS

Claims 7-11, 13-28, and 30-45 are all the claims pending in the application. By this Amendment, Applicant editorially amends claims 7, 9, 13, 19, 30, 32, 33, 39, and 40. In addition, Applicant adds claim 45. Claim 45 is clearly supported throughout the specification, *e.g.*, Fig. 1 and pages 8-10 of the specification.

I. Preliminary Matter

Applicant thanks the Examiner for accepting the substitute drawings filed on April 30, 2004 and for withdrawing the objection to the Specification.

II. Summary of the Office Action

The Examiner objected to claims 7, 9, 13, and 14 because of minor informalities. In addition, the Examiner rejected claims 13 and 39 under 35 U.S.C. § 112, first paragraph, and claims 13 and 40 under 35 U.S.C. § 112, second paragraph. Moreover, the Examiner rejected claims 13, 17, 18, 26-28, 32, 39, 43, and 44 under 35 U.S.C. § 102(e) and claims 7-11, 14-16, 19-25, 30, 31, 33-38, and 40-42 under 35 U.S.C. § 103(a).

III. Claim Objections

The Examiner objected to claims 7, 9, 13, and 14 because of minor informalities. Applicant has revised the claims, and respectfully submits that the claims as now presented no longer include the potential informality mentioned by the Examiner. Applicant therefore respectfully requests the Examiner to withdraw the objections to the claims.

IV. Claim Rejections under 35 U.S.C. § 112, first paragraph

The Examiner rejected claims 13 and 39 under 35 U.S.C. § 112, first paragraph as failing to comply with written description requirement (see pages 4-5 of the Office Action). Applicant respectfully submits that the features “said data acquiring device control section manages the number of said data acquiring device and other data acquiring devices connected thereto” and “said print image generating section manages the number of said and other printing devices connected thereto” are recited in the original claim 13, as such it is clear that the inventor was in possession of the claimed invention, *see* MPEP § 2163 (“[T]here is a strong presumption that an adequate written description of the claimed invention is present in the specification as filed. *In re Wertheim*, 541 F.2d 257, 262, 191 USPQ 90, 96 (CCPA 1976). Consequently, rejection of an original claim for lack of written description should be rare.”). It appears that the Examiner meant to reject claim 13 as being non-enabled.

Applicant respectfully submits, however, that claim 13 is clearly enabled. The Examiner alleges that the data acquiring device control section only manages one data acquiring device and that the print image data generating section only manages one print device (print section 55) (see page 5 of the Office Action). For support the Examiner relies on pages 9-10 of the Specification. Pages 9-10 of the Specification deal with a multifunction printer and not with the computer.

Applicant respectfully submits that claim 13 is directed to a computer connected to one or more multifunction printers. For example, an illustrative, non-limiting embodiment of the present invention teaches a computer 10 connected to a multifunction printer 20 and a multifunction printer 30. Each of these exemplary multifunction printers has a printer 24 and a card reader 26 (Fig. 1; page 8 of the specification). The CPU 14 of the host computer 10

executes various programs including image processing application 60, mode switching application 67, and a direct print application 68 (Fig. 5; page 11 of the specification).

In addition, the computer has a USB printer driver 62 which does not realize the number of the printing devices connected to the computer 10 but image processing application 60 (exemplary print image data generating section) realizes the number of printers connected to the computer 10 (see Figs. 5, 6, and 8; page 12, line 29 to page 13, line 14; page 15 line 14 to page 16, line 32). Moreover, the image processing application 60 does not realize the number of card readers 26, 36 (exemplary data acquiring devices) connected to the computer 10 but the Card Reader Driver 64 (exemplary data acquiring device control section) realizes the number of card readers connected to the computer 10 (see Figs. 5 and 8; page 13, line 15 to page 13, line 35; page 15, line 14 to page 16, line 32).

Therefore, it is appropriate and necessary for the Examiner to reconsider and withdraw this rejection of claim 13.

Claim 39 contains features similar to the features explained above with respect to claim 13. Therefore, the arguments presented with respect to claim 13 are submitted to apply with equal force here. For at least substantially the same reasons, therefore, claim 39 is enabled. As a result, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection of claim 39.

V. Claim Rejections under 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 13 and 40 under section 112, second paragraph. Applicant thanks the Examiner for pointing out, with particularity, the aspects of the claims thought to be

indefinite. Applicant respectfully requests the Examiner to withdraw this rejection of claim 13 in view of the self-explanatory claim amendments being made herein.

With respect to claim 40, the Examiner alleges that “the other acquiring device identification information” in line 3 of the claim lacks antecedent basis (see page 5 of the Office Action). Applicant respectfully submits that claim 40 does not recite such a feature. Therefore, this rejection is improper. Applicant respectfully requests the Examiner to withdraw this rejection.

If the Examiner meant that the recitation of “the other acquiring devices” lacks antecedent basis. Applicant respectfully submits that claim 40 has been amended to cure this minor informality.

VI. Claim Rejections under 35 U.S.C. § 102

Claims 13, 17, 18, 26-28, 32, 39, 43, and 44 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,498,658 to Sekikawa (hereinafter “Sekikawa”). Applicant respectfully traverses this rejection and respectfully requests the Examiner to reconsider this rejection in view of the comments, which follow.

To be an “anticipation” rejection under 35 U.S.C. § 102, the reference must teach every element and recitation of the Applicant’s claims. Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. Thus, the reference must clearly and unequivocally disclose every element and recitation of the claimed invention.

Of the rejected claims, only claims 13, 26, 32, and 39 are independent.

Claims 13, 17, and 18

First, with respect to claim 13, it recites a number of unique features including: “wherein said printing device control section does not realize a number of said printing devices connected to the computer, but said print image data generating section realizes the number of said printing devices connected to the computer.” The Examiner asserts that claim 13 is directed to a computer and is anticipated by Sekikawa. In particular, the Examiner alleges that the printer part 120 and the controller 123 are equivalent to the print image data generating section and a print device control section as set forth in claim 13 (see pages 6-7 of the Office Action). The Examiner further alleges Applicant that Sekikawa teaches that it is not the controller 123 that manages devices over the network 140 but the print part 120 (see page 7 of the Office Action). Applicant respectfully disagrees.

Sekikawa teaches a print part 120 having the controller 123. That is, in Sekikawa, the controller 123 is part of the print part 120 (Fig. 1; col. 4, lines 55 to 59). In other words, it is impossible for the print part 120 to manage the number of devices and for the controller 123 of the print part 120 not to be involved. In short, Sekikawa clearly fails to teach or suggest the print part 120 and not its controller 123 managing the number of devices connected over the network 140.

Moreover, Sekikawa clearly fails to teach or suggest realizing a number of the printing devices. Sekikawa only teaches that the network card 126 receives a print command from a personal computer connected to the network 140 and processes it (col. 5, lines 13 to 15). Moreover, Sekikawa teaches that it is the network interface 138 of the personal computer part 130 that communicates with other apparatuses connected to the network 140 (col. 5, lines 40 to

43). Sekikawa, however, is silent as to what types of apparatuses are being connected over the network 140. Moreover, Sekikawa does not teach or suggest realizing the number of connected apparatuses. In short, Sekikawa does not teach or suggest the print part 120 (alleged print image data generating section) and not its controller 123 (alleged a print device control section) realizing a number of apparatus connected via network 140 (alleged number of print devices).

Therefore, “wherein said printing device control section does not realize a number of said printing devices connected to the computer, but said print image data generating section realizes the number of said printing devices connected to the computer” as set forth in claim 13, is not suggested or taught by Sekikawa, which lacks having the printing part 120 manage the devices connected over the network 140 without the involvement of its controller 123 and which lacks recognizing the number of devices connected over the network 140. For at least these exemplary reasons, Applicant respectfully submits that independent claim 13 is patentably distinguishable and is not obvious in view of Sekikawa. Applicant therefore respectfully requests the Examiner to carefully reconsider and to withdraw this rejection of independent claim 13. Also, Applicant respectfully submits that claims 17 and 18 are allowable at least by virtue of their dependency on claim 13.

Claims 26-28

Next, Applicant respectfully traverses this rejection with respect to claims 26-28.

Independent claim 26, among a number of unique features, recites: “a read-only mode prohibiting writing of image data onto the storage medium but permitting only reading of image data from said storage medium.” The Examiner asserts that claim 26 is directed to a computer and is anticipated by Sekikawa. In particular, the Examiner alleges that Fig. 13 teaches “a read-

only mode” as set forth in claim 26 (see page 8 of the Office Action). Applicant respectfully disagrees. Fig 13 of Sekikawa only teaches selecting input and output devices for the transfer of data (col. 12, line 65 to col. 13, line 30). Sekikawa, however, fails to teach or suggest prohibiting writing of the image data to the storage medium in the read-only mode.

Therefore, “a read-only mode prohibiting writing of image data onto the storage medium but permitting only reading of image data from said storage medium,” as set forth in claim 26 is not suggested or taught by Sekikawa, which lacks having a mode where the writing of the image data in a storage is prohibited while reading from this storage is permitted. For at least this exemplary reason, Applicant respectfully submits that claim 26 is patentably distinguishable and is not obvious in view of Sekikawa. Applicant therefore respectfully requests the Examiner to carefully reconsider and to withdraw this rejection of independent claim 26. Also, Applicant respectfully submits that claims 27 and 28 are allowable at least by virtue of their dependency on claim 26.

Moreover, dependent claim 27 recites: “a switching section that switches said dual-use mode and said read-only mode in said storage medium read/write device control section.” Sekikawa’s figures 13, 19, and 28, relied on by the Examiner (see page 8 of the Office Action), only teach selecting the input and output devices but Sekikawa fails to teach or suggest switching between the dual-use mode and the read-only mode. For at least this additional reason, Applicant respectfully submits that dependent claim 27 is patentable over Sekikawa.

Dependent claim 28 recites: “a prohibiting section that judges from said storage medium loading information whether said storage medium has been set or not, and prohibits a change between said dual-mode and said read-only mode in said switching section when said storage

medium has been set.” The Examiner alleges that col. 18, lines 19 to 26 of Sekikawa teach these features of claim 28. Col. 18, lines 19 to 26 recite:

FIG. 22 is a drawing illustrating a configuration for detecting the condition of insertion of the memory card.

If the memory card is inserted, a reset signal is generated to a memory card control part, an interruption signal is transmitted to the control part, and a flag representing the insertion of the memory card is set. By this process, writing in the memory card and reading from the memory card are made possible.

As is clear from the passage above, Sekikawa only teaches providing an indicator that a memory card was inserted, thereby allowing the reading from the memory card and writing in the memory card. Sekikawa, however, fails to teach or suggest a prohibiting section that prohibits the switch between the read/write mode and the read only mode. In short, Sekikawa does not teach or suggest a section prohibiting switching between the two modes. For at least this additional reason, Applicant respectfully submits that claim 28 is patentably distinguishable from Sekikawa.

Claims 32, 39, 43, and 44

Finally, Applicant respectfully traverses this rejection with respect to claims 32, 39, 43, and 44. Of these claims only claims 32 and 39 are independent. Claims 32 and 39 recite features similar to the features argued above with respect to claim 13. Since claims 32 and 39 contain features that are similar to the features argued above with respect to claim 13, those arguments are respectfully submitted to apply with equal force here. For at least substantially the

same reasons, therefore, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of independent claims 32 and 39.

Moreover, claim 32 recites: “a computer to which multifunction printers are connected.” The Examiner alleges that Sekikawa’s control part 111 and digital copier are equivalent to the computer and multifunction printers as set forth in claim 32 (see pages 6 and 9 of the Office Action). Applicant respectfully disagrees.

Sekikawa teaches a digital copier having the scanning part 110 and the print part 120 connected to a personal computer 130 (Fig. 1; col. 3, lines 36 to 43). The control part 111 is located in the scanning part 110 and controls the scanning part 110 (Fig. 1; col. 3, lines 60 to 65). That is, Sekikawa’s control part 111 is a part of the digital copier. Sekikawa does not teach or suggest a control part 111 being connected to the digital copier. Therefore, Sekikawa clearly fails to teach or suggest “a computer to which multifunction printers are connected.” For at least this additional reason, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of claim 32.

Finally, the Examiner’s rejection with respect to claim 39 is improper as a technical matter. For example, on page 6 of the Office Action, the Examiner alleges that Sekikawa’s control part 111 is both the computer and the data acquiring device control section as set forth in claim 39. Applicant respectfully submits that the control part 111 cannot be both the computer and the data acquiring device control section. If, as alleged by the Examiner, the Sekikawa’s control part 111 is equivalent to the computer as set forth in claim 1, then Sekikawa fails to teach or suggest a control part 111 (alleged computer) comprising a printer part 120 (alleged printer image data generating section), a controller 123 (alleged printing device control section), and so

on. That is, Sekikawa fails to teach or suggest elements of the control part 111. Sekikawa only teaches that the controller 111 controls the scanner part 110. Clearly, the controller does not include a printer part 120 and a controller 123. For at least this additional reason, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of claim 39.

VII. Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 7-11, 14-16, 19-25, 30, 31, 33-38, and 40-42 under 35 U.S.C. § 103(a). In particular, claims 7-11, 14, 19-25, 30, 31, 33, 35-38, and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekikawa in view of U.S. Patent No. 6,546,419 to Humpleman et al. (hereinafter “Humpleman”). Claims 15 and 41 stand rejected as being unpatentable over Sekikawa in view of U.S. Patent No. 6,134,021 to Silverbrook (hereinafter “Silverbrook”). Claims 16 and 42 stand rejected as being unpatentable over Sekikawa. Finally, claim 34 stands rejected as being unpatentable over Sekikawa, Humpleman, and further in view Silverbrook. Applicant respectfully traverses these rejections in view of the following comments.

A) Sekikawa and Humpleman

Claims 7-11, 14, 19-25, 30, 31, 33, 35-38, and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekikawa in view of Humpleman.

Claims 7-11

The Examiner rejected claims 7-11 under 35 U.S.C. § 103(a) as being unpatentable over Sekikawa in view of Humpleman. Of the rejected claims 7-11, claim 7 is the only independent claim. Independent claim 7 recites a number of unique features including: “said data acquiring device and said printing device are held in a common housing case”.

The Examiner acknowledges that Sekikawa does not teach or suggest the data acquiring device and the printing device being held in a common housing. The Examiner, however, alleges that Humpleman cures the deficient teachings of Sekikawa. That is, the Examiner alleges that Humpleman teaches obtaining selected information about individual network devices including the location of the devices *e.g.*, living room (see pages 10-11 of the Office Action). Applicant respectfully submits that the location of the device is not equivalent to the devices being held in a common housing case. That is, Humpleman only teaches that an attribute may provide the location of a device (col. 10, lines 5 to 50). Humpleman, however, does not teach or suggest that the two devices will have the same location. Moreover, Humpleman does not teach or suggest a common housing case. In other words, Humpleman only teaches an attribute providing the location of the device, *e.g.*, a living room, but Humpleman does not teach or suggest that the two devices are in the same box or a common housing case.

Therefore, “said data acquiring device and said printing device are held in a common housing case,” as set forth in claim 7 is not suggested or taught by the combined teachings of Sekikawa and Humpleman. For at least this reason, Applicant respectfully submits that claim 7 is patentable over the combined teachings of Sekikawa and Humpleman. Therefore, it is appropriate and necessary for the Examiner to withdraw this rejection of claim 7. Claims 8-11 are patentable at least by virtue of their dependency.

Claim 14

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekikawa in view of Humpleman. Applicant respectfully traverses this rejection with respect to the dependent upon claim 13, claim 14. Applicant has already demonstrated that Sekikawa does not

meet all the requirements of independent claim 13. Humpleman is relied upon only for its teaching of a location such as a living room. Humpleman does not compensate for the above-identified deficiencies of Sekikawa. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 13. Since claim 14 is dependent upon claim 13, it may be patentable at least by virtue of its dependency.

Claim 19-25

The Examiner also rejected claims 19-25 as being unpatentable over Sekikawa in view of Humpleman. Of the rejected claims, only claim 19 is independent. Applicant respectfully submits that claim 19 contains features similar to the features argued above with respect to claim 7. Since claim 19 contains features that are similar to the features argued above with respect to claim 7, those arguments are respectfully submitted to apply with equal force here. For at least substantially the same reasons, therefore, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of independent claim 19.

In addition, claim 19 recites: “a comparing section that compares said data acquiring device identification information with said printing device identification information to judge whether said both devices are held in the common housing case or not.” The Examiner acknowledges that Sekikawa does not teach or suggest a comparing section as set forth in claim 19. The Examiner, however, alleges that Humpleman cures the deficient teachings of Sekikawa. Applicant respectfully disagrees. Humpleman only teaches storing attribute information such as the device location but Humpleman does not teach or suggest comparing identification information of one type of the device with another type of the device to determine if these two

devices are in a common housing case. For at least this additional reason, Applicant respectfully submits that claim 19 is clearly patentable over the combined teachings of Sekikawa and Humpleman.

Claims 30 and 31

The Examiner rejected claim 30 as being unpatentable over the combined teachings of Sekikawa and Humpleman. Applicant respectfully submits that claim 30 contains features similar to the features argued above with respect to claim 7. Since claim 30 contains features that are similar to the features argued above with respect to claim 7, those arguments are respectfully submitted to apply with equal force here. For at least substantially the same reasons, therefore, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of independent claim 30. Moreover, claim 31 is patentable at least by virtue of its dependency on claim 30.

Claim 33

The Examiner rejected claim 33 as being unpatentable over the combined teachings of Sekikawa and Humpleman. Applicant respectfully submits that claim 33 contains features similar to the features argued above with respect to claim 19. Since claim 33 contains features that are similar to the features argued above with respect to claim 19, those arguments are respectfully submitted to apply with equal force here. For at least substantially the same reasons, therefore, Applicant respectfully requests the Examiner to reconsider and to withdraw this rejection of independent claim 33.

Claims 35-38

The Examiner rejected claims 35-38 as being unpatentable over the combined teachings of Sekikawa and Humpleman. Claims 35-38, however, are patentable at least by virtue of their dependency on claim 7.

Claim 40

Finally claim 40 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekikawa in view of Humpleman. Applicant respectfully traverses this rejection with respect to the dependent upon claim 39, claim 40. Applicant has already demonstrated that Sekikawa does not meet all the requirements of independent claim 39. Humpleman is relied upon only for its teaching of a location such as a living room. Humpleman does not compensate for the above-identified deficiencies of Sekikawa. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 39. Since claim 40 is dependent upon claim 39, it is patentable at least by virtue of its dependency.

B) Sekikawa and Silverbrook

Claims 15 and 41 stand rejected as being unpatentable over Sekikawa in view of U.S. Patent No. 6,134,021 to Silverbrook (hereinafter "Silverbrook"). Applicant respectfully traverses this rejection with respect claims 15 and 41 which depend from claims 13 and 39, respectively. Applicant has already demonstrated that Sekikawa does not meet all the requirements of independent claims 13 and 39. Silverbrook is relied upon only for its teachings of a color copier (see page 16 of the Office Action). Clearly, Silverbrook does not compensate for the above-identified deficiencies of Sekikawa. Together, the combined teachings of these

references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claims 13 and 39. Since claims 15 and 41 depend upon claims 13 and 39, respectively, they are patentable at least by virtue of their dependency.

C) Sekikawa

Claims 16 and 42 stand rejected as being unpatentable over Sekikawa. Claims 16 and 42 depend on claims 13 and 39, respectively. Applicant has already demonstrated that Sekikawa does not meet or render obvious all the requirements of independent claims 13 and 39. Therefore, claims 16 and 42 are patentable at least by virtue of their dependency on claims 13 and 39, respectively.

D) Sekikawa, Humpleman, and Silverbrook

Finally, claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sekikawa and Humpleman in view of Silverbrook. Applicant respectfully traverses this rejection with respect to claim 34 which depends on claim 7. Applicant has already demonstrated that the combined teachings of Sekikawa and Humpleman do not meet all the requirements of independent claim 7. Silverbrook is relied upon only for its teachings of a color copier. Clearly, Silverbrook does not compensate for the above-identified deficiencies of the combined teachings of Sekikawa and Humpleman. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 7. Since claim 34 depends on claim 7, it is patentable at least by virtue of its dependency.

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VIII. New Claim

In order to provide more varied protection, Applicant adds claim 45. Claim 45 is patentable over the prior art references cited by the Examiner at least by virtue of its dependency on claim 7.

IX. Conclusion and request for a telephone interview

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


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